BOARD OF GOVERNORS OF CONCORDIA UNIVERSITY

MINUTES, OF THE OPEN SESSION OF THE MEETING OF THE BOARD OF GOVERNORS HELD ON WEDNESDAY, 17 JANUARY, 1990, IMMEDIATELY FOLLOWING THE CLOSED SESSION, IN ROOM GM-407-1, SGW CAMPUS

Attendance:

Present: Me A. Gervais, Chairman, Mr. B. Aune, Prof. B. Barbieri, Ms. L. Brodrick, Ms. M. Donaldson, Mr. J. N. Economides, Dr. T. Fancott, Mr. J. R. Firth, Prof. M. Foster, Prof. S. Friedland, Dr. D. B. Frost, Chief Justice A. B. Gold, Mr. R. K. Groome, Dr. H. Habib, Mr. T. Hecht, Ms. L. Honosutomo, Mr. P. Howlett, Mr. P. Ivanier, Dr. P. Kenniff, Mr. R. Lawless, Sister E. McIlwaine, Mr. D. McIninch, Mr. D. W. McNaughton, Mr. A. H. Michell, Mr. A. Mohammed, Mr. S. O'Hara, Mr. M. Saidou, Me M. Vennat, Ms. A. Wilson Wright.

Officers of the University: Dr. M. Cohen, Dr. C. Giguère Dr. R. Sheinin, Me B. Gaudet

Absent: Mr. M. J. Bourgault, Mme M. J. Drouin, Mr. L. Ellen, Mr. F. Knowles, Me J. J. Pepper, Mr. J. H. Smith, Mr. W. W. Stinson, Mr. C. I. Taylor, Ms. S. Woods.

DOCUMENTS CONSIDERED AND ATTACHED TO THESE MINUTES:

BG-90-1-D2	-	Resolution No. R89-75, with respect to the appeal process under the Code of Conduct (Non-Academic)
BG-90-1-D3	-	Proposed Resolution to amend Resolution No. R89-75 concerning the appeal process under the Code of Conduct (Non-Academic)
BG-90-1-D7	-	Summary of the Responsibilities and Mandate of the Standing Committees
BG-90-1-D8	-	Report of the Ad Hoc Committee on the Restructuring of the Standing Committees of the Board of Governors
BG-90-1-D9	-	List of the Committees of the Board of Governors and their membership (1989-90)
BG-90-1-D10	-	Letter of condolences with accompanying resolution adopted by the Board of Governors at its meeting of 20 December 1989, to Mr. Louis Courville, Ecole Polytechnique de Montréal

1.1 The Chairman said it would be appropriate for the Board to extend its sympathies to Mr. Ellen upon the death of his mother, earlier in January.

1.2 As indicated earlier in the meeting, the proposed amendment to a Resolution concerning the Review Committee should be added to the Agenda, and this matter will be dealt with

before the restructuring of the Standing Committees of the Board. The Agenda was approved as amended.

1.3 Approval of the Minutes

Ms. Wilson Wright indicated that there should be a correction at page 10, item 8.3 of the Minutes. The name of the Chaplain should read Ms. Daryl L. Ross, rather than Dr. Daryl Ross.

Ms. Brodrick requested a clarification, also at page 10, item 8.2. The last sentence should not state, "All the proceeds"... but, instead: "Concordia's share of the proceeds will go towards the Concordia Stadium Appeal".

It was moved and seconded (Brodrick, Foster) and unanimously RESOLVED:

R90-6 *THAT the Minutes of the Open Session of the last meeting, held on 20 December 1989, be approved as amended.*

2. Amendment to Resolution no. R89-75 with respect to the appeal process under the Code of Conduct (Non-Academic)

Before moving the motion, Dr. Kenniff announced three modifications to the text of the proposed Resolution. 1) At paragraph 50.1, in the sentence beginning with: "The said panel shall decide whether or not"..., delete the words "or not". 2) In the last sentence of paragraph 50.1, after "Re panel to hear a specific application", the words "and the number of members" should be added, before ..."shall be appointed"... etc. 3) In paragraph 50.3, the words "at the election of' should be changed to "as determined by" (the Chairman of the Review Committee).

Dr. Kenniff explained that the reason for increasing the number of members to eight and introducing the idea of panels was that with such a system the members of the Review Committee would not be obliged to sit on all the panels and hear all the applications for permission to appeal.

Prof. Barbieri asked what was the rationale for having panels of three or five members. Dr. Kenniff answered that the choice by the Chairman of the Review Committee would depend on the importance or the complexity of the issues at stake, the more complex issues requiring a larger representation on the panel. This modification is designed to provide more flexibility in that respect.

It was moved and seconded (Kenniff, Habib) and unanimously RESOLVED:

R90-7 *WHEREAS the mandate and responsibilities of the Review Committee of the Board of Governors have been carefully reviewed in the context of the restructuring of Standing Committees of the Board;*

AND

WHEREAS it was deemed advisable to modify certain aspects of the procedure to give it more flexibility and to modify also the composition of the Review Committee;

THAT Resolution no. R89-75 adopted by the Board of Governors on 27 September 1989 be amended by replacing item 1 of the conclusion by the following text:

1. "Article 50 shall be replaced by the following provisions:

50.1 The complainant or the person complained against wishing to appeal the decision or the sanction or both must apply in writing to a panel of three (3) or five (5) members of the Review Committee of the Board of Governors for the authorization to lodge an appeal. The said panel shall decide whether an appeal may be heard, having regard to the circumstances of each case. The application in writing must be submitted to the Secretary of the Review Committee within fourteen (14) days of the rendering of the decision appealed against. The panel to hear a specific application and the number of members shall be appointed by the Chairman of the Review Committee.

50.2 Such a request for authorization to appeal may be based only on the grounds of faulty procedures or a breach of natural justice. The written request must state in clear and precise terms the grounds on which the appeal is based.

50.3 If the authorization to appeal is granted, the appeal shall be heard either by the same panel or a new panel, as determined by the Chairman of the Review Committee.

50.4 The Review Committee shall be a Standing Committee of the Board of Governors, whose mandate is to hear the appeals upon authorization granted by it, in accordance with the above paragraphs.

The said Review Committee shall consist of eight (8) voting members: an external member of the Board of Governors, acting as Chairman; a faculty representative; a student representative; a

representative of the non-academic staff; and four (4) members, who are not members of the internal University community, but who may be Governors. All members of the Review Committee, and its Secretary, shall be appointed by the Board of Governors.

2.1 Business arising from the Minutes

Restructuring of the Standing Committees of the Board

Dr. Kenniff moved the motion, which was seconded by Mr. McNaughton. He then asked the Chairman to explain the various changes which were being submitted for the Board's approval.

Me Gervais said he had attempted to speak to all the Chairmen of those Committees that were proposed to be eliminated, but unfortunately he had been unable to reach some of them, and he apologized for any inconvenience. He then proceeded to elaborate on the reasons for removing certain Committees.

The Ad Hoc Committee recommended eliminating the Inventions Committee, the Student Loans Committee, the Operating Services Committee and the Social Policy Committee not only because they had become inoperative, but because it was felt that their functions should be performed by the Administration of the University.

The Planning Committee, whose only role was to deal with buildings and real estate, was being eliminated because this role is now assumed by the Real Estate Development Committee, which entailed an obvious duplication.

As for the Personnel Committee, the matters it dealt with are determined under the Collective Agreement with CUFA, and therefore its role was no longer required.

The Stewardship Committee was being kept on the list of Standing Committees for the moment. This Committee is expected to terminate its activities at the completion of the Downtown Library Project, when its current role will then be phased out; its activities will be integrated into the Advancement Committee's.

The mandates of the Finance (Budget) and the Audit Committees have also been modified, the main change being that the approval of the financial statements has now been moved from the Finance to the Audit Committee. Me Gervais thanked Mr. Knowles and Mr. Smith for their participation in the Ad Hoc Committee.

Finally, Me Gervais indicated an amendment to the list of membership: the name of Chancellor Gold should be added to the membership of the Executive Committee. He apologized for this omission. The change was agreed to unanimously.

In the ensuing discussion, several objections were raised by the Governors with respect to eliminating Committees, more specifically the Personnel Committee, the Social Policy Committee and the Inventions Committee.

Dr. Habib expressed his disappointment at the removal of the Personnel Committee. He felt the role of this Committee was important if only because of the "check and balance" function it performed. Dr. Habib urged the Board to reconsider this decision.

On this issue, Dr. Kenniff advised that while, understandably, this role may be perceived as important by the academic community, the reality is that matters of appointments and promotions were now entirely determined under the Collective Agreement, which left no real authority to the Personnel Committee, except perhaps moral authority. The matters which the Personnel Committee formerly dealt with will continue to be approved by the Board, on the recommendation of the Vice-Rector, Academic and of the Rector.

Dr. Sheinin expressed concern about the removal of the Social Policy Committee, stating that social issues are now more important than ever (e.g. the recent events at Polytechnique). These issues, she said, have to be addressed elsewhere in the University.

Mr. Hecht stressed the importance of social issues in the University, which may be likened to a microcosm of what goes on in the larger society (violence, racism, etc.) While it is true that the Social Policy Committee had not met over the past two years, the last issue which it had discussed was a very important one, i.e. the matter of divestiture of investments by the Bank of Montreal from South Africa, because of apartheid. Mr. Hecht urged the Board to reconsider the elimination of this Committee, suggesting that its function should be maintained if only on an ad hoc basis.

Mr. Firth said he fully concurred with Dr. Habib's remarks concerning the Personnel Committee.

Chancellor Gold suggested that the Board should adopt the proposed resolution as submitted, but with the understanding that the decision concerning the Personnel Committee, the Social Policy Committee and possibly the Inventions Committee, shall be reassessed in the near future.

Mr. O'Hara suggested a change in student membership for three committees, i.e. 1) Mr. Saidou would be on the Audit Committee instead of the Graduation Ceremonies Committee; 2) Mr. O'Hara would sit on the Graduation Ceremonies Committee; and 3) there will be another student to replace Mr. O'Hara on the Advancement Committee (whose name will be supplied by CUSA shortly).

Ms. Wilson Wright pointed out that there was no representative of the non-academic staff on the Executive Committee, adding that she felt there should be one. She also mentioned that at page 3 of Document 13G-90-1-D7, the words "Chairman or Chairwoman" were used, which was fine, but she would like the language to be consistent throughout the document.

In order to resolve the difficulties which had been raised, Me Gervais said he would ask the Executive Committee (in the light of its revised, enlarged mandate) to review the decisions made with respect to these three Committees, in the near future. Perhaps some of these Committees might be re-established, he said. He would also refer to the Executive Committee the issue just raised by Ms. Wilson Wright.

It was moved and seconded (Kenniff, McNaughton) and unanimously RESOLVED:

R90-8 *WHEREAS it has been deemed advisable to examine and revise the structure of the Standing Committees of the Board of Governors with a view to increasing their efficiency, and an Ad hoc Committee was appointed for that purpose;*

WHEREAS the Ad hoc Committee on the restructuring of the Standing Committees has submitted its Report, dated 5 January 1990, to the Board of Governors, recommending, inter alia, that the current number of committees be reduced from eighteen to thirteen; AND

WHEREAS as a result the membership of these committees has been redistributed, as per a revised list of the Standing Committees of the Board submitted by the Chairman and dated 17 January 1990.

THAT the Report of the Ad hoc Committee on the restructuring of the Standing Committees of the Board of Governors, as outlined in Document BG-90-1-D8, be approved;

THAT the number of Standing Committees be reduced from eighteen to thirteen;

THAT the revised mandate and responsibilities of the Standing Committees, as outlined in Document BG-90-1-D7, be approved; AND

THAT the revised membership of the Standing Committees of the Board, as outlined in Document BG-90-1-D9, be approved.

3. The third item on the Agenda of the Open Session was the approval of a resolution concerning the increase in tuition fees. Dr. Kenniff requested that this issue be deferred to the February meeting of the Board. Dr. Cohen would now give relevant information on this subject.

Referring to the Minister's prior announcement, Dr. Cohen explained that the tuition fee increase would be implemented in two stages (spread over two years). He said he and his colleagues from other universities had met at CREPUQ to discuss the parameters of this increase and to look for ways of minimizing its impact on students. At Concordia, he said, students are being charged on a per credit basis (there is no distinction between full-time and part-time students). Other universities charged a flat rate - (montant forfaitaire). The proposal which was agreed to at CREPUQ involves a basic increase of $11.67 per credit. Dr. Cohen also pointed out that the universities had the option of charging a further 10% increase on top of the increased fees. Even with the increase, Dr. Cohen advised, Concordia will still have the lowest fees in Quebec.

Dr. Cohen said the universities would meet again to consider how the second part of the increase (for 1991-1992) will be implemented. He also advised that he intended to meet with the Presidents of student associations to explain these proposed increases in relation to improvements in the Loans and Bursaries system.

4. The Rector said he had nothing further to add.

5. So did the three Vice-Rectors.

7. The Chairman announced the resignation of Ms. Marie-Josée Drouin, which required a formal approval by the Board.

It was moved and seconded (McNaughton, Donaldson) and unanimously RESOLVED:

R90-9 *THAT the resignation of Ms. Marie-Josée Drouin as a member of the Board of Governors be accepted with regrets.*

8. As indicated on the Agenda, the next regular meeting of the Board will be held on Wednesday, 14 February 1990, at 8:00 a.m., in Room GM-407-1, SGW Campus.

9. The meeting terminated at 9:30 a.m.

Bérengère Gaudet,
Secretary of the Board of Governors